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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 12th March, 1993:—

BILL No. 5 OF 1993

A Bill to provide for the prevention and control of the spread of Human Immuno Deficiency Virus (HIV) infection and to provide for specialised medical treatment and social support to, and rehabilitation of, persons suffering from Acquired Immuno Deficiency Syndrome (AIDS) and for matters connected therewith and incidental thereto.

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short title, extent and commencement.

1. (*1*) This Act may be called the Acquired Immuno Deficiency Syndrome (AIDS) Prevention Act, 1993.

(*2*) It shall extend to the whole of India except the State of Jammu and Kashmir.

(*3*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "AIDS" means Acquired Immuno Deficiency Syndrome in a person resulting from HIV infection;

(*b*) "designated health authority" means an authority designated as such by a State Government under section 3;

(c) "HIV" means Human Immuno Deficiency Virus;

(*d*) "HIV infection" means the presence in the body of a person of HIV antibodies or antigens detected on the basis of test;

(*e*) "prescribed" means prescribed by rules made under this Act;

(*f*) "registered medical practitioner" means a medical practitioner who possesses any recognised medical qualification as defined in clause (h) of section 2 of the Indian Medical Council Act, 1956 and whose name has been entered in a State Medical Register; 102 of 1956.

(*g*) "surveillance centre" means a surveillance centre established under section 8;

(*h*) "test" means a serological procedure followed for detection of HIV antibodies or antigens in the body of a person.

CHAPTER II

APPOINTMENT OF DESIGNATED HEALTH AUTHORITIES

Appointment of designated health authorities by State Governments.

3. Every State Government shall by notification in the Official Gazette, appoint such person or authority as it may deem fit as the designated health authority and define the local limits within which such authority shall exercise the powers and discharge the functions conferred or imposed on it by or under this Act.

Registered medical practitioner to give informations.

4. Every registered medical practitioner who, in the course of his practice becomes cognizant of the existence of any case of HIV infection in a person, a person suffering from AIDS or drug addict in any private or public dwelling, hospital, nursing home or any other place, shall give information of such person in such form and manner as may be prescribed and with the least practicable delay to the designated health authority within whose local limits he is practising.

Explanation.—For the purposes of this section, "drug addict" means an addict within the meaning of the Narcotic Drugs and Psychotropic Substances Act, 1985. 61 of 1985.

Power of designated health authority to call for information, etc.

5. On the receipt of information under section 4 or from any other source, the designated health authority shall have the power to direct the person referred to in section 4—

(a) to furnish such information as that authority may require from him initiating action under section 7 and section 9;

(b) to submit himself for test;

(c) to remove himself forthwith to a hospital or other place for special care and medical treatment where the authority considers it necessary so

to do in the interests of such person and also to prevent the spread of HIV infection.

Test of persons belonging to certain categories.

6. The designated health authority may, having regard to the kinds of persons frequenting or living in any area or areas within its local limits, who are exposed to greater risk of acquiring or transmitting HIV infection or any other relevant consideration, provide facilities and make necessary arrangements for such persons to undergo test.

Steps to be taken by designated health authority.

7. The designated health authority shall, on receipt of information under section 4 or from any other source, take steps to provide for—

(a) counselling by qualified and specially trained persons;

(b) health education;

(c) specialised medical treatment;

(d) periodical clinical and serological follow-up action;

(e) social support (including rehabilitation);

to the HIV infected, persons and persons suffering from AIDS and also take such other precautionary steps to prevent the spread of HIV infection as it may deem necessary.

CHAPTER III

SURVEILLANCES AND REHABILITATION

Establishment of surveillance centres.

8. The Central Government, after consultation with a State Government, may, by notification in the Official Gazette, establish one or more surveillance centres in the State for, the purposes of this Act.

Surveillance centres to conduct survey and to report cases of HIV infection to designated health authority.

9. (*1*) Every surveillance centre shall conduct clinical or laboratory tests or shall cause such tests to be conducted for the purpose of detecting, determining or monitoring the rate of HIV infection or for identifying the persons so infected amongst the general public or selected groups of persons.

(*2*) Where a person has been detected to be having HIV infection or as suffering from AIDS, the designated health authority may require this surveillance centre to take steps to trace the sources from which such person has acquired HIV infection and the sources through which he might have transmitted the infection to others.

Bar to donation of blood, organ, etc.

10. (*1*) No person who knows that he is infected with HIV or is suffering from AIDS shall donate his blood, any organ or semen to any blood bank, hospital, laboratory or any other institution.

(*2*) No professional blood donor shall give blood to any blood bank, hospital, laboratory or any other institution unless he has got his blood tested every time he gives blood for the presence of HIV antibodies in his blood and such test has proved that it is free from HIV antibodies.

Explanation.—For the purposes of this section, the expression "professional blood donor" means a person who gives his blood more than once within a period of three months and for monetary consideration.

Protection of action taken in good faith.

11. No suit, prosecution or other legal proceeding shall lie against the designated health authority or any person for anything which is in good faith done or intended to be done under this Act.

Power to make rules.

12. (*1*) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the form and manner in which particulars regarding the persons infected with HIV or persons suffering from AIDS or drug addicts may be sent to the designated health authority under section 4;

(*b*) the qualifications and experience of persons who may be appointed for counselling under section 7;

(c) the qualifications and experience of;

(*i*) doctors and nurses; and

(*ii*) laboratory technicians and other technical personnel, associated with surveillance centres, hospitals or other places meant for the special care and treatment of persons infected with HIV or persons suffering for AIDS;

(d) the facilities and equipments required to be provided at a surveillance centre for the proposes to section 9;

(*e*) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have affect only in such modified form or be of no effect, as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Acquired Immuno Deficiency Syndrome, more commonly known as AIDS, has of late assumed proportions of a major health hazard in several parts of the world. No vaccine is presently available for affording immunisation against the virus nor it is possible to cure the disease which invariably results in death. The World Health Organisation estimates that 5—10 million people have already been infected by HIV throughout the world.

2. In India, a surveillance programme on AIDS was initiated in 1985. Till 31st July, 1989, 3.33 lakh persons mainly belonging to "high risk groups" like sexually promiscuous men and women have been screened and 1,392 individuals were found to have HIV infection. The long incubation period (about 8 years) renders identification based on clinical symptoms alone inadequate at the initial stage of infection. Therefore, surveillance based on serology is necessary to prevent the spread of HIV, which causes AIDS.

3. Having regard to potential of rapid spread of infection and the mode of its transmission, it is necessary to take effective measures to prevent the spread of HIV, by detecting persons infected, preventing transmission by them of infection to others and by providing counselling, health education and social support to, and rehabilitation of, infected persons.

4. The Bill seeks, *inter alia*.—

(a) to appoint designated health authorities to carry out the provisions of the Act, who will be authorised to demand information from infected persons, and provide health education, counselling, treatment, social support to, and rehabilitation of infected persons;

(b) to require registered medical practitioners to report to the designated health authority cases of HIV infection, drug addicts, and AIDS to enable such authority to initiate preventive action;

(c) to provide for the establishment of surveillance centres after consultation with the State Governments for conducting surveys to detect the presence of HIV infection among high risk groups and the general population.

Hence this Bill.

NEW DELHI;
November 17, 1992.

RAMASHRAY PRASAD SINGH.

FINANCIAL MEMORANDUM

Clause 5 of the Bill provides that the designated health authority shall have the power to direct certain persons for test with respect to detecting HIV infection or AIDS.

Clause 7 provides for counselling, health education, specialised medical treatment and social support to and rehabilitation of persons suffering from AIDS or HIV infection. Some qualified persons have to be appointed for this purpose. Clause 8 provides for establishment of surveillance centres for carrying out the provisions of the Bill. Testing facilities and equipments have to be provided to such surveillance centres under clause 12(2) (d).

The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India.

It is estimated that an annual recurring expenditure of about rupees fifty crore is likely to be involved.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 12 of the Bill empowers the Central Government to make rules to provide for—

(a) the form and manner in which particulars regarding persons infected with HIV or persons suffering from AIDS may be sent to the designated health authority under clause 4;

(b) the facilities and equipments required to be provided at a surveillance centre for the purpose of clause 9;

(c) the qualifications and experience of—

(i) doctors and nurses; and

(ii) laboratory technicians and other technical personnel, associated with surveillance centres, hospitals or other places meant for the special care and treatment of persons infected with HIV or persons suffering from AIDS.

2. The matters in respect of which rules may be made are of administrative detail. The delegation of legislative power is, therefore, of a normal character.

BILL No. 161 OF 1992

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Amendment) Act, 1992.

Insertion of new article 156A.

2. After article 156 of the Constitution, the following article shall be inserted, namely:—

Impeachment of Governor.

"156A. Notwithstanding anything contained in this Constitution, the Governor may, for violation of the Constitution, be removed from office by impeachment by Parliament in the same manner as provided for in article 61 for impeachment of the President.".

STATEMENT OF OBJECTS AND REASONS

The office of the Governor is of crucial importance in the Constitutional set-up of our country. The Constitution casts upon the Governors of the States the responsibility of preserving, protecting and defending the Constitution and the law. The Governors hold office during the pleasure of the President. The Governor may, however, by writing under his hand addressed to the President resign his office. There is no specific provision for the removal of the Governors from the office. There is also no provision for the impeachment of the Governors for the violation of the Constitution, as provided by article 61 in the case of the President. In the absence of any such provision, neither Parliament nor the State Legislature can exercise necessary restraint on the Governors.

There have been occasions in the past when allegations were made that certain acts of omissions and commissions of the Governors amounted to the violation of the Constitution. Many a times, the actions of a Governor, in matters relating to the appointment of the Chief Minister of a State under article 164 have led the opposition parties to make the allegation that the Governor had acted in violation of the Constitution which he was bound to preserve, protect and defend.

Governors usually defend their actions by stating that under the Constitution they have to call the leader of the single largest Legislature Party to form the Government. But they fail to cite the relevant provision of the Constitution to justify their statement. Sometimes, Governor appoints the Chief Minister even before the Election Commission formally constitutes the Assembly and before the existing Assembly is formally dissolved. All these, among others, go to prove the charges of violation of the Constitution by the Governors.

It is, therefore, necessary to remove this lacuna and shortcoming in order to create suitable mechanism in the Constitution itself to check the undesirable exercise or misuse of power by the Governors.

Hence this Bill.

NEW DELHI;
October 30, 1992.

CHITTA BASU

BILL No. 162 OF 1992

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Amendment) Act, 1992.

Insertion of new article 75A.

2. After article 75 of the Constitution, the following article shall be inserted, namely:—

Caretaker Government not to announce new policies or promise new projects, etc.

"75A. During the period from the date of the dissolution of the House of the People till the date of the constitution of the new House of the People, the Government shall function as a caretaker Government and such Government shall not—

(*a*) initiate and announce new policies;

(*b*) promise or start new projects;

(*c*) grant allowances or loans, increases in salary of Government servants and employees working in public undertakings;

(*d*) hold official functions attended by Ministers, Deputy Ministers and their Parliamentary Secretaries.".

Insertion of new article 164A.

3. After article 164 of the Constitution, the following article shall be inserted, namely:—

Caretaker Government not to announce new policies or promise new projects, etc.

"164A. During the period from the date of the dissolution of the Legislative Assembly of a State till the date of the constitution of the new Legislative Assembly, the Government shall function as a caretaker Government and such Government shall not—

(*a*) initiate and announce new policies;

(*b*) promise or start new projects;

(*c*) grant allowances or loans, increases in salary of Government servants and employees working in public undertakings;

(*d*) hold official functions attended by Ministers, Deputy Ministers and their Parliamentary Secretaries.".

STATEMENT OF OBJECTS AND REASONS

It is the common experience that the Government of the day misuses the Government power and machinery in furtherance of the election of the party in power. The ruling party has, under the present circumstances, an edge over other contending parties. The opposition parties are always in a disadvantageous position in this respect. Free and fair election thus becomes impossible.

It is, therefore, felt that statutes are to be framed to ensure every Government (Central or State) functions as a caretaker Government during the ninety days immediately preceding the poll. Announcement of new projects of development, action to expedite implementation of the projects to influence electorate in favour of the ruling party, promises to set up new projects, laying of foundation stones and sanctioning of new schemes, large scale expenditure of Government money in the constituency, donations to public institutions or individuals, transfer of administrative and police officers, etc. should be held in abeyance during the period.

The Bill seeks to amend the Constitution with a view to achieve the above objective.

NEW DELHI;
October 30, 1992.

CHITTA BASU

BILL NO. 172 OF 1992

A Bill further to amend the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

BE it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. This Act may be called the Employees' Provident Funds and Miscellaneous Provisions (Amendment) Act, 1992. Short title.

Insertion of new section 13A.

2. After section 13 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, the following section shall be inserted, namely:— 19 of 1952.

Employers not to be given financial assistance, etc. in case of non-payment of contribution and other debts.

"13A. Notwithstanding anything contained in the Act, no employer, in relation to an establishment, who has not paid or has made default in the payment of contribution and other sums due from him or in respect of his employees under any provision of this Act or the Scheme or the Family Pension Scheme or the Insurance Scheme shall not be—

(*i*) given financial assistance in any form including loans, grants, etc.;

(*ii*) given any order for the supply of any material, and

(*iii*) eligible for submitting any tender or quotation which has been invited,

by the appropriate Government or by any authority under the appropriate Government till the time the employer furnishes a certificate from such officer, as may be authorised by the appropriate Government in this behalf, to the effect that the contribution and the other sums due from the employer and in respect of his employees have been paid upto the date of his submission of application for the grant of financial assistance or tender, etc.".

STATEMENT OF OBJECTS AND REASONS

The Employees' Provident Fund and Miscellaneous Provisions Act, 1952, provides for the payment of contribution and other sums due in respect of the employer himself and his employees by the employed. The employer can recover the contribution made on behalf of the employees from the wage bills of the employees. It is, therefore, the duty of the employer to deposit both the shares *i.e.* his share and also that of his employees' within a stipulated period to the appropriate authority. However, it is seen that in many cases though the employers deduct employees' contribution from their wage bills but the same amount is not deposited with the concerned authorities by the defaulting employer. The to the extent of syphoning off huge sums from the company's accounts. deducted amount from the employees' wage bills is used by the employer It, therefore, amounts to negating the very purpose of the scheme drawn for the benefit and welfare of the employees.

The penalties proposed in the Act for default in depositing and subsequent syphoning off are so insignificant as compared to the offence committed that the erring employers do not bother about the provisions of the Act. Sometimes reluctance and lackadaisical approach of the enforcing machinery results in the acquital of the employers and they do not get even the minimum punishment proposed in the Act.

The Bill, therefore, seeks to make the schemes under the Act more effective and purposeful and also, to protect the interests of the employees.

NEW DELHI;
October 30, 1992.

TARIT BARAN TOPDAR.

BILL No. 163 OF 1992

A Bill to amend the Constitution of India.

BE it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Amendment) Act, 1992.

Amendment of Preamble.

2. In the Preamble to the Constitution, after the word "DEMOCRATIC", the word "FEDERAL" shall be inserted.

Amendment of article 1.

3. In clause (*1*) of article 1 of the Constitution and thereafter, wherever it occurs in the Constitution, for the word "Union", the word "Federation" shall be substituted.

Amendment of article 3.

4. In the proviso to article 3 of the Constitution, for the words "for expressing its views thereon within such period as may be specified in the reference or within such further period as the President may allow and the period so specified or allowed has expired", the words "and the Legislature has consented to the proposals contained in the Bill by adopting a resolution to that effect by a simple majority and has forwarded such resolution to the President" shall be substituted.

Amendment of article 200.

5. In article 200 of the Constitution,—

(i) the words "or that he reserves the Bill for the consideration of the President" shall be omitted; and

(ii) second proviso shall be omitted.

Omission of article 201.

6. Article 201 of the Constitution shall be omitted.

Substitution of new article for article 248.

7. For article 248 of the Constitution, the following article shall be substituted, namely:—

Residuary powers of legislation.

"248. (1) The Legislature of any State has exclusive power to make any law with respect to any matter not enumerated in the Concurrent List or the Union List.

(2) Such power shall include the power of making any law imposing a tax not mentioned in either of those Lists".

Insertion of new article 248A.

8. After article 248 of the Constitution, the following article shall be inserted, namely:—

Reformulation of Seventh Schedule and real autonomy to States.

"248A. (1) Within two years after the commencement of the Constitution (Amendment) Act, 1992, the Lists in the Seventh Schedule shall be reformulated by Parliament by law so as to ive greater and real authority to States.

(2) Any such law as is referred to in clause (1) shall, in particular, provide for—

(a) exclusive power of the Centre in the matter of defence, foreign relations including foreign trade, communications, currency and related matters and multi-State industrial, power and irrigation projects except their execution and implementation which shall be left to the States;

(b) coordination and issue of general directions by the Centre in the matter of planning, fixing of prices, wages industries, industrial licensing, etc.;

(c) exclusive power of the State in the matter of law and other and the police and categories of industries;

(d) non-interference into the affairs of the States by the Centre with its own specially created forces such as Central Reserve Police or any other police force which the Centre may raise.

Omission of article 249.

9. Article 249 of the Constitution shall be omitted.

Insertion of new article 263A.

10. After article 263 of the Constitution, the following new article shall be inserted, namely:—

Establishment of National Development Council and Planning Commission.

"263A. (*1*) The President shall by order establish a National Development Council in which all the States and the Centre shall have representation in the manner to be defined in the order, and any such order shall also define the nature of duties to be performed by the Council and its organisation and procedure.

(*2*) The National Development Council shall determine the composition of the Planning Commission that may be constituted by the President by order and shall also define the nature of the duties to be performed by the Planning Commission and its organisation and procedure.".

Amendment of article 270.

11. In article 270 of the Constitution, in clause (*2*), for the words "such percentage, as may be prescribed", the words "seventy-five per cent." shall be substituted.

Omission of article 271.

12. Article 271 of the Constitution shall be omitted.

Amendment of article 272.

13. In article 272 of the Constitution,—

(*a*) the words "if Parliament by law so provides" shall be, deleted;

(*b*) for the words "any part", the words "seventy-five per cent." shall be substituted;

(*c*) for the words "such law", the words "Parliament by law" shall be substituted.

Substitution of new article for article 273.

14. For article 273 of the Constitution, the following article shall be substituted, namely:—

Grants in lieu of export duty on jute and jute products.

"273. Seventy-five per cent. of the net proceeds in each year of export duty on jute and jute products shall be assigned to the States of Assam, Bihar, Orissa and West Bengal and, in lieu thereof, equivalent in each year as grant-in-aid of the revenues of these States."

Insertion of new article 273A.

15. After article 273 of the Constitution, the following new article shall be inserted, namely:—

Division of revenue amongst Union and States.

"273A. Seventy-five per cent. of the revenues levied and collected by the Union, which are divisible between the Union and the States, shall be distributed among the States.".

Amendment of article 280.

16. In article 280 of the Constitution, in clause (*3*),—

(*i*) for sub-clause (*a*), the following sub-clause shall be substituted, namely:—

"(*a*) the proportion and the principal which would govern the allocation between the States of their respective shares of the seventy-five per cent. of the net proceeds of taxes which are to be or may be levied and collected by the Centre and are divisible between the Union and the States.".

(*ii*) after sub-clause (b), the following sub-clause shall be inserted, namely:—

"(bb) the according of more powers to the States for imposing taxes;" ..

Amendment of article 289.

17. Inarticle 289 of the Constitution, clauses (2) and (3) shall be omitted. ..

Omission of article 302.

18. Article 302 of the Constitution shall be omitted.

Omission of article 312.

19. Article 312 of the Constitution shall be omitted.

Amendment of article 348.

20. In article 348 of the Constitution,—

(*i*) the following clause shall be inserted after clause (*1*), namely:—

"(1A) Notwithstanding anything in sub-clause (*a*) of clause (*1*), every person shall be entitled to submit a petition to and address the Supreme Court, during the course of proceedings on his petition, in any of the languages specified in the Eighth Schedule, and in such cases adequate arrangement shall be made by the Supreme Court for translation and interpretation of such language in English:

Provided that nothing in this clause shall apply to any judgment, decree or order passed or made by the Supreme Court.";

(*ii*) clause (*2*), the words "with the previous consent of the President" shall be omitted.

Substitution of new for article 350.

21. For article 350 of the Constitution, the following article shall be substituted, namely:—

"350. (*1*) Every person shall be entitled to submit a representation for the redress of any grievance to any officer or authority of the Union in any of the languages specified in the Eighth Schedule.

Representation in any language in Eighth Schedule.

(*2*) Every person shall be entitled to submit a representation in his mother tongue for the redress of any grievance to any officer or authority of the State in which he ordinarily resides.".

Amendment of article 360.

22. Clauses (3) and (4) of article 360 of the Constitution shall be omitted.

Amendment of Seventh Schedule.

23. In the Seventh Schedule to the Constitution,—

(a) in List I, entries 2A and 97 shall be deleted;

(b) in List II, the following eutry shall be added in the end, namely:——

"67.Any other matter not enumerated in List I or List III including any tax not mentioned in either of those List.".

STATEMENT OF OBJECTS AND REASONS

The question of Centre-State relations is crucial to the preservation of the unity and integrity of India within the framework of its linguistic, cultural and other diversities. The several linguistic and cultural gropus that inhabit the country were united before Independence in their common aspiration for freedom from colonial bondage. They are today united in their common aspiration to build a prosperous life for themselves as well as to develop full national resources free from imperialist interference and according to their respective socio-economic, linguistic and cultural needs. The struggle for realising these common aspirations makes it incumbent on the Governments at the Centre and the States, the political parties and the people at large to recognise the need for unity in diversity.

The Constitution that emerged after Independence, though described as federal, was essentially unitary in character. It clothed the Centre with more powers at the expense of the autonomy of the States. That is why the "Concurrent" list has as many as 47 items. Since the adoption of the Constitution, the tendency had been to make greater inroads into the powers of States. This was facilitated by the fact that the same political party was in power at the Centre and in all the States, except for short durations and, that too in only a few States.

During the last two decades, while the demand has been growing for greater powers to the States so as to make States' autonomy real and effective, there have been persistent efforts to erode even the limited powers of the States and reduce the democratic functioning of the Government there. The right of the people to manage their affairs even within the limited sphere allotted in the State. List of the Constitution has been sought to be reduced to a farce. During the last ten years, the Centre's tentacles have further spread to the States even in the sphere of law and order, which is formally a State subject, through the creation of the Central Reserve Police the Border Security Force, the Industrial Security Force, etc. By the 42nd Amendment to the Constitution. Education, which was State subject, was transferred to the Concurrent List. The process has now reached a stage when it threats to reduce the States to the Status of subordinate departments of the Central under the aegis of the Central Home Ministry. The Emergency immensely accelerated the process. The actions taken in those twenty months sought to make it clear beyond doubt that the State Ministries and Legislatures faced the perpetual threat of being removed by hook or crook, if they did not toe the line of the Centre.

The issue of Centre-State relations has assumed a new significance in the changed political context. Different parties are in office in the different States and in the Centre. It is a part of the democratic aspirations of the people that federal principles should be correctly understood and applied so that this multiparty democratic pattern may survive.

In a country like India, with such diversities in race, religion, language and culture, national integration can be achieved only through conscious voluntary efforts. Devolution of powers may help ward off fissiparous tendencies instead of encouraging them. A strong and unified India can only be one in which the democratic aspirations and the distinctiveness of the people of the different States are respected and not treated with disdain. It is necessary to provide for strong States, but on no account there should be a weak Centre. The concept of strong States is not necessarily in centradiction to that of a strong Centre, once their respective spheres of auhority are clearly marked out.

Hence the Bill.

NEW DELHI;
October 30, 1992.

CHITTA BASU

FINANCIAL MEMORANDUM

Clause 20 of the Bill entitles a person to submit his petition to and address the Supreme Court in any of the languages specified in the Eighth Schedule to the Constitution and requires the Supreme Court to make arrangement for translation and interpretation of such languages into English. Similarly, clause 21 entitles a person to submit a representation to the Union in any of these languages. Arrangement for translation and interpretation of all these languages into English is likely to involve a recurring expenditure of about rupees ten lakhs from the Consolidated Fund of India.

A non-recurring expenditure of about rupees five lakhs is also likely to be incurred.

C. K. JAIN,
Secretary-General.

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